

# Chevy Chase Village Police Department

## General Order

**Subject:** NOTIFICATION OF STATES ATTORNEY'S OFFICE

**CALEA:** 42.1.5-a-b-c, 61.1.5-k, 61.1.10, 61.1.11,  
61.2.1-a, 61.2.2-a, 82.2.1-e, 82.2.4

- New
- Amended
- Rescinds

<b>Approved:</b>	<b>Effective:</b>	<b>No. Pages:</b>	<b>Number:</b>
Roy A. Gordon Chief of Police	01/22/2008	3	5-52.1

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### I. POLICY

Members of the Department will notify and consult with the State's Attorney's Office as directed by this general order and as necessary to enhance case preparation and to assure the most effective prosecution of criminal and traffic offenders.  
(CALEA 42.1.5-c)

### II. NOTIFICATION PROCEDURES AND CRITERIA

- A. The procedures listed below will bring an Assistant State's Attorney into cases involving serious and habitual offenders as early as possible.  
(CALEA 42.1.5-a-b-c)
1. Officers will alert the State's Attorney's Office [REDACTED] early about a major offender so that a senior Assistant State's Attorney can be assigned to assist in the enhancement of a case, and to monitor, as well as expedite, the processing of the defendant, including attending the initial Bond Review Hearing.
  2. Officers shall notify the State's Attorney's Office of the following, unless relieved of that responsibility by the appropriate MCP Investigator:
    - a. All murders and attempted murders, regardless of the defendant's prior criminal history;
    - b. All arrests for rape, armed robbery, sexual offenses (1<sup>st</sup> and 2<sup>nd</sup> degree), assault with the intent to murder, rape, or rob and any attempts to commit any of the above;

- c. Any defendant who has a prior felony conviction as an adult from any jurisdiction or a serious juvenile record, if known;
  - d. Violent crimes;
  - e. Felonies which are unusual and/or complex and generate media interest, and
  - f. Fatal or serious P.I.C.'s **prior to the placing of charges.** (CALEA 61.2.1-a).
3. Monday through Friday from 0830 to 1700 hours, contact the State's Attorney's Office directly. All other times, or if no answer, contact ECC or the on-call State's Attorney.
  4. The on-call State's Attorney will be contacted whenever a major offender is charged (warrant obtained) and then whenever the offender is located, wherever that may be.

B. Fatal/Serious P.I.C.'s

Before an officer places charges in a fatal accident or an accident involving serious personal injury, the officer will contact the Bethesda District Prosecution Team Leader as soon as possible, and not later than the next working day, to determine what and how the appropriate charges are to be placed, i.e., citation, warrant, indictment, etc. (CALEA 61.1.5-k, 61.2.2a)

C. Habitual/Repeat Offenders

1. The goal of identifying habitual and repeat offenders is to reduce the incidence of specific criminal offenses occurring in the Village and in Montgomery County by identifying and targeting the career criminal for prosecution and incarceration.
2. An officer arresting a habitual or repeat offender will notify the Bethesda District Team Leader as soon as practical. (CALEA 42.1.5-c)

D. Use of the Bond Alert Form

1. A "Bond Alert" form is completed by an officer who, for good cause, wishes to recommend that the State's Attorney's Office **oppose** the release of a defendant on bond at a Bond Review Hearing because, among other reasons, the offender is a habitual offender.
2. The form will be completed in its entirety, listing clearly the reasons why the defendant is unsuitable to be released on bond and will

be faxed [REDACTED] as soon as possible after arrest and supervisory approval. (CALEA 82.2.1-e, 82.2.4)

3. Use of the form is **mandatory** in cases where a firearm was used in the commission of a crime.
4. A copy of the form will be maintained with the station copy of the report.

E. DWI Repeat Offenders

1. Officers will use a DWI Repeat Offender Notification Form to notify the State's Attorney's Office of an individual that was arrested on a previous occasion for a DUI or DWI offense. (CALEA 61.1.10, 61.1.11)
2. When the form is prepared by the arresting officer, it will include a copy of the officer's report and a copy of the defendant's driving record.

### III. PHONE NUMBERS

The phone numbers for the Bethesda District Team Leader can be obtained by contacting MCP ECC or the Bethesda District Investigative Section.